

## Message Text

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ORIGIN EB-11

INFO OCT-01 EUR-25 ISO-00 L-03 FAA-00 SCI-06 MC-02 CIEP-02

COME-00 OMB-01 DOTE-00 CAB-09 CIAE-00 DODE-00 INR-10

NSAE-00 RSC-01 SS-20 NSC-10 /101 R

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EB/ITP/EWT: ANDERSON

EB/ITP/EWT: GREGORY

EUR/SES: POLANSKY(SUBS)

L/EB: GAITHER(SUBS)

FAA: STEWART(SUBS)

FAA: BUTTERFIELD(SUBS)

FAA: CARMICHAEL

SCI: GANLEY(SUBS)

EUR/SOV: MATLOCK

PM/MC: TROUT(SUBS)

CIEP: EVAN (SUBS)

COM/BEWT: KREITZER(SUBS)

OMB: ATKINS(SUBS)

COM/BEWT: HEISS(SUBS)

EB/AN: MEADOWS(SUBS)

DOT: BRONEZ(SUBS)

COM/BEWT: SMITH

DOD: MOUNTAIN(SUBS)

EUR: ARMITAGE

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FM SECSTATE WASHDC

TO AMEMBASSY MOSCOW

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C O R R E C T E D COPY FOR OMISSION OF CLEARANCES

E.O. 11652: N/A

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TAGS: ECON, ETRN

SUBJECT: PROPOSED DRAFT AGREEMENT ON COOPERATION IN THE  
FIELD OF CIVIL AVIATION  
REF: STATE 191663

1. REQUEST ECONCOUNS TRANSMIT FOLLOWING MESSAGE FROM FAA  
ADMINISTRATOR BUTTERFIELD TO MCA BUGAEV NO LATER THAN  
OCTOBER 15.

2. TO: GENERAL BUGAEV

DURING THE PERIOD SINCE THE FAA TECHNICAL TEAM RETURNED  
FROM MOSCOW, WE HAVE HAD UNDER INTENSIVE CONSIDERATION THE  
DRAFT AGREEMENT PROPOSED BY THE MINISTRY OF CIVIL AVIATION  
(MCA) TO OUR TEAM. IN OUR VIEW WE COULD APPROPRIATELY  
GIVE DETAILED AND EARLY CONSIDERATION TO THE PROVISIONS OF  
THE SOVIET DRAFT, OTHER THAN ARTICLE IV, IN A WORKING  
GROUP TO BE ESTABLISHED PURSUANT TO THE US/USSR AGREEMENT  
ON COOPERATION IN TRANSPORTATION OF JUNE 19, 1973. WE  
ANTICIPATE A MEETING OF THE US/USSR JOINT COMMITTEE ON  
COOPERATION IN TRANSPORTATION PRIOR TO THE END OF THE YEAR,  
AND I SUGGEST WE ENVISAGE ESTABLISHMENT OF A WORKING GROUP  
ON AIR TRAFFIC CONTROL BY THE JOINT COMMITTEE AS A FORUM  
FOR OUR EXPEDITIOUS EXAMINATION OF THOSE PROVISIONS. FOR  
THE IMMEDIATE FUTURE, I PROPOSE THAT WE FOCUS ONLY ON THE

PROVISIONS OF ARTICLE IV WITH A VIEW TOWARDS A LIMITED  
REIMBURSABLE AGREEMENT BETWEEN OUR AGENCIES. THE  
SUPPLY OF SOFTWARE PURSUANT TO SUCH AGREEMENT WOULD, OF  
COURSE, BE CONTINGENT UPON VALIDATED EXPORT LICENSES,  
BOTH FOR THE HARDWARE PURCHASES IN THE US AND FOR THE  
SOFTWARE, THE ISSUANCE OF WHICH IS BEYOND THE PURVIEW OF  
THE FAA. AT THE TIME OF YOUR VISIT IN OCTOBER WE COULD  
CONSIDER INITIALING A PROTOCOL OF INTENTION IN PRINCIPLE  
TO NEGOTIATE A MUTUALLY ACCEPTABLE ARRANGEMENT AT AN  
APPROPRIATE TIME. IN ORDER TO EXPEDITE OUR COOPERATIVE  
EFFORTS, I SUGGEST THAT OUR TECHNICAL EXPERTS MEET WHILE  
YOU ARE IN WASHINGTON TO ASCERTAIN MORE DEFINITELY YOUR  
AIR TRAFFIC CONTROL (ATC) REQUIREMENTS AND OUR ABILITY  
TO ASSIST THE MCA IN FILLING THESE REQUIREMENTS. I WOULD  
HOPE THAT OUR RESPECTIVE STAFFS CAN MAKE SUBSTANTIAL  
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PROGRESS ON SUFFICIENTLY SPECIFIC TERMS TO PERMIT A  
REVIEW BY US DURING YOUR VISIT. I ESPECIALLY WANT TO  
EMPHASIZE THAT SECRETARY BRINEGAR AND I WELCOME YOUR  
VISIT IN OCTOBER AND I LOOK FORWARD WITH PERSONAL  
PLEASURE TO CONTINUING OUR ASSOCIATION (TO BE SIGNED BY  
MR. BUTTERFIELD).

3. UPON DELIVERY OF ABOVE MESSAGE, INFORM BUGAEV OF

FOLLOWING US VIEWS:

A) TWO AMERICAN COMPANIES HAVE ALREADY SUBMITTED FOR EXPORT LICENSE A LIST OF ITEMS THEY HOPE TO EXPORT TO USSR AS HARDWARE FOR AIR TRAFFIC CONTROL. THE REQUESTS ARE UNDER INTENSIVE STUDY.

B) FAA WOULD BE WILLING TO NEGOTIATE A LIMITED AGREEMENT ON A REIMBURSABLE BASIS FOR THE PROVISION TO MCA OF ATC SOFTWARE PACKAGES THAT WILL PERMIT TURNKEY OPERATION OF DEFINED HARDWARE CONFIGURATIONS AT SPECIFIED USSR ATC CENTERS. FAA'S ROLE WOULD BE STRICTLY LIMITED TO AVOID POSSIBLE COMPETITION WITH US FIRMS. CONCLUSION OF AGREEMENT WILL BE CONTINGENT UPON SOVIET PURCHASE OF HARDWARE OF SUFFICIENT FAMILIARITY TO FAA SO THAT IT CAN SUPPLY SOFTWARE PACKAGES. WHERE NECESSARY, VALIDATED US EXPORT LICENSES FOR MUCH OF THE HARDWARE AND SOFTWARE WILL BE REQUIRED.

C) SAMPLE FORMAT OF AGREEMENT BEING POUCHED FOR TRANSMITTAL TO BUGAEV. HE MAY WISH TO INITIAL PROTOCOL WITH THE FAA, WHILE IN WASHINGTON IN OCTOBER, COMMITTING THE PARTIES IN PRINCIPLE TO NEGOTIATE AGREEMENT ONCE CONDITIONS OF PARA 3B MET.

D) USG ENCOURAGES FURTHER CONTACT BETWEEN MCA AND FAA AND US COMPANIES IN ORDER BETTER TO ASCERTAIN SOVIET ATC REQUIREMENTS. EFFICIENT HANDLING OF ACTUAL LICENSE APPLICATIONS AND THEIR ULTIMATE APPROVAL WILL, OF COURSE, REQUIRE DETAILED SPECIFICATIONS.

4. FYI. - FOLLOWING PROBLEMS REQUIRE RESOLUTION BEFORE LIMITED OFFICIAL USE

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AGREEMENT CAN BE SIGNED OR TRANSACTIONS COMPLETED:

A) VALIDATED EXPORT LICENSES, INCLUDING COCOM CLEARANCE WHERE REQUIRED, FOR HARDWARE AND SOFTWARE - RAYTHEON AND IBM PROPOSALS CURRENTLY UNDER INTERDEPARTMENTAL REVIEW.

B) LEGAL DETERMINATION OF TERMS FAA MAY SEEK FROM MCA UNDER AGREEMENT.

C) LINKAGE OF FAA SOFTWARE TO SOVIET PURCHASES OF US EQUIPMENT.

D) HANDLING OF FAA SUPPLY OF SOFTWARE TAKING INTO ACCOUNT FACT THAT FAA SHOULD NOT COMPETE WITH PRIVATE SECTOR.

E) EXERCISE OF ADEQUATE CONTROL OF US HARDWARE AND SOFT-

WARE CONTRACTOR PROPOSALS TO ENSURE THAT THESE PROPOSALS  
DO NOT EXCEED THE INTENT OF 3B ABOVE WITH RESPECT TO  
SOFTWARE. END FYI.

5. INFORM WASHINGTON OF ANY NEW DEVELOPMENTS INVOLVING  
US COMPANIES AND A SOVIET ATC SYSTEM. KISSINGER

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## Message Attributes

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